

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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FILED

APR 12 2005

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42788

IN THE MATTER OF THE PETITION OF SBC)
LONG DISTANCE, INC., D/B/A SBC LONG)
DISTANCE, AS A CERTIFIED CARRIER OF)
RESOLD ALTERNATIVE OPERATOR)
SERVICES, FOR APPROVAL OF ITS)
CONVERSION INTO A LIMITED LIABILITY)
COMPANY AND OF THE TRANSFER TO IT)
OF CERTAIN ASSETS AND LIABILITIES)
PURSUANT TO INDIANA CODE §§ 8-1-2-76)
TO 81, -83 AND 88 OR IN THE)
ALTERNATIVE, FOR THE COMMISSION)
TO DISMISS THE PETITION FOR LACK)
OF JURISDICTION TO APPROVE SUCH)
TRANSACTIONS)

You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

On April 8, 2005, SBC Long Distance, Inc. d/b/a SBC Long Distance ("SBCLD"), filed its *Motion for Protection of Confidential and Proprietary Information* ("Motion") in this cause. In its Motion, the Petitioner indicates that certain information that it intends to submit in this matter, contains trade secrets ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its Motion, the Petitioner includes the sworn *Affidavit of Norman W. Descoteaux* ("Affidavit"). The Affidavit has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

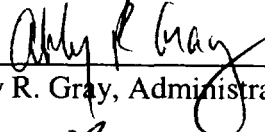
The Presiding Officer, having considered Petitioner's Motion and accompanying Affidavit, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver the Confidential Information to the Presiding Administrative Law Judge. The Confidential

Information should be on light green paper, in a sealed envelope clearly marked confidential with the Cause No. noted thereon, and will be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.



Larry S. Landis, Commissioner



Abby R. Gray, Administrative Law Judge

April 13, 2005
Date